

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WESTERN PENNSYLVANIA

4 THE UNITED STATES OF AMERICA, ) Case No.: 2:09-cr-00313-GD-1  
5 Plaintiff, )  
6 vs. ) Challenge to Jurisdiction  
7 Edward Siceloff. DEFENDANT )  
8 Accused ) Judge Gustav Diamond  
9 )  
 )

## Challenge to Jurisdiction

## Jurisdictional Challenge

Comes now the accused in the above styled action, Edward George Siceloff, acting in his own defense and moves this court to compel the plaintiff, by and thru plaintiff's representative, to prove that Plaintiff has standing to bring its claim against him.

I am therefore moving this court to compel Plaintiff to present all evidence that Plaintiff has in regard to Plaintiff's standing to bring this claim against me for my review.

The law herewith mandates that Plaintiff be compelled to comply before this case moves to the prosecution phase. The Accused has been denied the ability to make this motion by the turn of events immediately preceding the arraignment, when counsel was appointed to him while he maintained that he wanted mere assistance of counsel. Accused thus was not afforded his right to speak. Timeliness of the motion was thus unable to be achieved, because of the procedure taken to protect “other” rights of the accused.

This is my right under the constitutionally secured right to due process and it is the duty of the judge to compel Plaintiff to perform, or in lack of Plaintiff's performance, to dismiss the proceedings for lack of jurisdiction.

If Plaintiff cannot prove standing, then the court is absent jurisdiction to examine the alleged facts of this case or make any ruling upon any evidence concerning them.

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## ORDER OF COURT

AND NOW, this \_\_\_\_\_day of January, 2010, upon the consideration of the foregoing accused Edward George Siceloff's motion to compel the Plaintiff, through Plaintiff's representative, to produce evidence of the Plaintiff's standing to bring this claim upon Edward George Siceloff, it is hereby ORDERED, ADJUDGED AND DECREED THAT that said motion be and the same hereby, is GRANTED.

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Gustave Diamond  
Senior United States District Judge